

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

DENNIS RUSSELL HOOPER,  
Plaintiff,

1:12-cv-00297-CL

**ORDER**

v.

UNITED STATES OF AMERICA,  
Defendant.

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**PANNER, J.**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, I review legal principles *de novo*. See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007).

I agree with Magistrate Judge Clarke that plaintiff's motion for entry of default and for default judgment should be denied because plaintiff has failed to show that defendant has been properly served. I deny plaintiff's motion for appointment of pro bono counsel at this time.

1- ORDER

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#14) is adopted. Plaintiff's motion for appointment of counsel (#3) and motion for default (#12) are denied.

IT IS SO ORDERED.

DATED this 15 day of August, 2012.

A handwritten signature in black ink, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE